

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-215649.2

DATE: September 10, 1984

MATTER OF: Military Base Management, Inc.

DIGEST:

Bid delivered late by a commercial carrier properly was rejected where there is no suggestion that wrongful government action was the paramount cause for the late receipt.

Military Base Management, Inc. (MBM) protests the Air Force's rejection of its late bid under invitation for bids No. F08602-84-B-0061. The protester argues that the bid should be considered because it was delivered late through the negligence of a commercial carrier.

We summarily deny the protest.


Bidders are responsible for the timely delivery of their bids, and the late delivery of a bid generally requires its rejection. See Key Airlines, B-214122, Feb. 27, 1984, 84-1 CPD ¶ 242. An exception to this rule is permitted only under the circumstances provided by the solicitation and pertinent procurement regulations, Photonics Technology, Inc., B-211234, April 11, 1983, 83-1 CPD ¶ 378, which concern only late mailed or telegraphic bids. See Federal Acquisition Regulation, § 14.304-1(a), 48 Fed. Reg. 42,102, 42,177 (1983) (to be codified at 48 C.F.R. § 14.304-1(a)).

A bid sent by a commercial carrier is considered to be a hand-carried bid, Moore's Cafeteria Services, Inc., B-205943, Jan. 12, 1982, 82-1 CPD ¶ 29, for which there is no express exception. We nevertheless have permitted the consideration of a late hand-carried bid where it was shown that some wrongful action by the government was the paramount cause for the late delivery, and that consideration of the late bid would not compromise the integrity of the competitive procurement system. See Scot, Incorporated, 57 Comp. Gen. 119 (1977), 77-2 CPD ¶ 425. MBM does not allege such circumstances exist here.

029949

07261
B-215649.3

The protest therefore is summarily denied. See
Moore's Cafeteria Services, Inc., supra.


Acting Comptroller General
of the United States